

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 MIRANDA KANE (CABN 150630)
3 Chief, Criminal Division

4 JOSHUA HILL (CABN 250842)
Assistant United States Attorney

5 1301 Clay Street, Suite 340-S
6 Oakland, California 94612
Telephone: (510) 637-3740
7 Facsimile: (510) 637-3724
8 E-Mail: Joshua.Hill2@usdoj.gov

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,)	No. CR-09-526 SBA
)	
14 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE STIPULATED
15 v.)	FACTS TRIAL TO FEBRUARY 14, 2012
)	
16 GUILLERMO ANTONIO)	
17 VILLAVICENCIO,)	
)	
18 Defendant.)	

19 IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its
20 attorney, Joshua Hill, and the defendant through his attorney, Joyce Leavitt, that the stipulated
21 facts trial presently set for January 31, 2012, be continued to February 14, 2012 at 2:00 p.m. The
22 reason for the continuance is that government counsel is unavailable on January 31, 2012. The
23 requested date of February 14, 2012 is the Court's first available time thereafter. The parties
24 agree that the delay is not attributable to lack of diligent preparation on the part of the attorney
25 for the government or defense counsel. For these reasons, the parties request that time under the
26 Speedy Trial Act be excluded based on the parties' need for continuity of counsel. The parties
27 agree that the waiver covers all time between the date of this Stipulation and February 14, 2012.
28

1 IT IS SO STIPULATED:

2 Dated: January 19, 2012

3 /S/
JOYCE LEAVITT
Attorney for Villavencencio

5 Dated: January 19, 2012

6 /S/
JOSHUA HILL
Assistant United States Attorney

8 **ORDER**

9 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the stipulated facts
10 trial presently set for January 31, 2012, is continued to **February 14, 2012 at 2:00 p.m.** Based
11 upon the representation of counsel and for good cause shown, the Court also finds that failing to
12 exclude the time between January 19, 2012, and February 14, 2012, would unreasonably deny
13 the parties continuity of counsel. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv). The Court further finds
14 that the ends of justice served by excluding the time between January 19, 2012, and February 14,
15 2012, from computation under the Speedy Trial Act outweigh the best interests of the public and
16 the defendant in a speedy trial. Therefore, it is hereby ordered that the time between January 19,
17 2012, and February 14, 2012, shall be excluded from computation under the Speedy Trial Act.
18 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

20 DATED: January 19, 2012

21 
HON. SAUNDRA BROWN ARMSTRONG
United States District Court Judge